

Sunset Public Hearing Questions for
SOUTHEAST INTERSTATE FOREST FIRE PROTECTION COMPACT
Created by Section 11-4-501, *Tennessee Code Annotated*
(Sunset termination June 2010)

1. Provide a brief introduction to the Southeast Interstate Forest Fire Protection Compact, (SIFFPC) including information about its mission, purpose and duties. Who, in Tennessee, has primary responsibility for execution of provisions of the compact?

The State Forester is charged with the execution of the provisions of the compact. The SIFFPC was created on July 27, 1954 to promote effective prevention and control of forest fires in the Southeast. It was developed following resource shortages during WWII and devastating forest fires in the early 1950's. There was a general acceptance that states could not muster sufficient resources to meet their own need in times of high fire activity. The Compact allows member states to develop and use fire plans that are coordinated with other member states, that each state will maintain adequate fire resources and will make those resources available to member states as well as to members of other Compacts.

2. What other states have entered into the compact with Tennessee? Have any of the 10 states enumerated in Article II of the compact as eligible states, not entered into the compact? If so, which ones and what is known of their reasons for not entering into the compact?

Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Virginia, West Virginia. No, all states enumerated in Article II are current members, however West Virginia does not actively participate in the SIFFPC as they are also members of the Mid-Atlantic Interstate Forest Fire Protection Compact with which it has fire issues more in common. Virginia also has dual membership however it is an active participant in the SIFFPC.

3. Have any party states withdrawn from the compact or filed notice of their intentions to withdraw under the provisions of Article IX? If so, which states and what were their stated reasons for withdrawing?

No.

4. How is the compact funded? What were the compact's revenues (by source) and expenditures (by object) for fiscal years 2008 and 2009? What is the cost to Tennessee for the state to participate in the compact and what types of expenses are involved?

There are no operational costs resulting from membership in the Compact. The only costs involved are incurred when a state receiving firefighting resources from another state must reimburse the states that sent the resources.

During the activation of the compact, the U.S. Forest Service will temporarily hire a Compact Coordinator at the USFS Southern Area Coordination Center. When fire activity decreases and the receiving state releases resources obtained through the Compact, the

Coordinator is released from duty also. The Compact Coordinator position may only be filled for 1 to 2 months per year depending upon fire activity.

There are no revenues or expenditures resulting from the formation of the compact. Costs involved in compact participation are solely for reimbursement to a 'sending state' for fire suppression resources used by a 'receiving state'.

5. Describe the extent of assistance given by Tennessee to other member states and or other regional compacts during the last five fiscal years beginning with fiscal year 2004. How much has Tennessee received in compensation for this assistance?

Year	State	Resources	Date	Income/ Reimbursement
2004	none			
2005	none			
2006	Texas	77 personnel 12 engines 6 dozers	July 1-Sept. 9	\$433,859.17
2007	Georgia	34 personnel 14 engines	April 19-June 1	\$320,229.72
	Florida	13 personnel 3 dozers	May 16-June 10	\$105,871.58
2008	Texas	155 personnel 27 engines 5 dozers	May 18-Aug. 22	\$1,273,076.73
	North Carolina	23 personnel 9 engines	June 18-Aug. 2	\$236,850.71
Total:				\$2,369,887.91

6. Describe the extent of assistance received by Tennessee from other member states and/or other regional compacts during the last five fiscal years beginning with fiscal year 2004. How much has Tennessee paid in compensation for this assistance?

Tennessee has been fortunate to not have to call on compact member states for assistance in the last 5 fiscal years and as a result have not had to reimburse any sending states for their assistance.

7. How many times have member states' compact administrators met during fiscal years 2008 and 2009? What states were represented at these meetings? Are minutes of these meetings kept? Who keeps the official minutes? How much per diem or travel reimbursement was associated with this activity?

Compact administrators have met two (2) times; once in June 2008 and again in June 2009. The states at each of these meetings that were represented included: AL, FL, GA, KY, MS, NC, SC, TN, VA. Yes. The minutes for these meetings are recorded and distributed by the Chair of the Compact Group. The cost of these annual meetings are generally about \$450 per meeting and are paid by U.S. Forest Service.

8. Has Tennessee formulated and put in effect a forest fire plan for the state as required by Article III of the compact? How is that plan integrated with the regional fire plan?

Yes. Integration occurs in the Southern Interagency Mobilization Guide. The Guide includes contact names and phone numbers as well as resources available for Compact assignments.

9. Have the compact administrators formulated and maintained a regional forest fire plan for the member states as required by Article III of the compact? When and under what circumstances was the plan last revised? Are there any indicators or standards by which the effectiveness and efficiency of the plan can be measured? If performance indicators have been established, how well has the plan performed?

Yes. It is revised annually, and any work on the plan must be finalized by December 1st. The compact itself does not have any performance measures as it is an agreement between states.

10. Has an advisory committee been established as required by Article III of the compact and by Section 11-4-503, *Tennessee Code Annotated*? If so, please provide a list of current advisory committee members and describe how membership complies with Section 11-4-503, *Tennessee Code Annotated*.

The advisory committee has been inactive since 1990.

11. Does committee membership include a public/citizen member? A member who is 60 years of age or older? A member of a racial minority? A member who is female?

Please see number ten (#10) above.

12. On what dates has the advisory committee met during fiscal years 2008 and 2009, and how many members were present at each meeting? What were the travel and meeting expenses associated with this activity? If the advisory committee has not met during the last two fiscal years, on what date did it last meet?

Please see number ten (#10) above.

13. Is the compact or the advisory committee subject to Sunshine law requirements (Section 8-44-101 et seq.) for public notice of meetings, prompt and full recording of minutes, and public access to minutes? If so, what procedures does the compact or the advisory committee have for informing the public of its meetings and making its minutes available to the public?

Yes, if the advisory committee would be subject to the Sunshine provisions of the law. If there was a meeting, notification would be given through various associations affiliated with forestry activities and notification would be placed on the departmental website.

14. Have any rules and regulations been promulgated to carry out the purposes of the compact? If rules have been promulgated, please cite the reference.

No.

15. What reports are prepared in conjunction with the operations and activities of the compact, and who receives the reports? Describe any reports required by statute, rule or policy and attach copies of any reports issued during fiscal years 2008 and 2009.

No reports are statutorily required as a result of this compact.

16. Describe any items related to the compact that require legislative attention and your proposed legislative changes.

None.

17. Should Tennessee's participation in the compact be continued? To what extent and in what ways would the absence of the compact affect the public health, safety or welfare?

Yes, Tennessee should continue to participate in this compact. If however, Tennessee were to remove our membership from this compact we would in turn submit to great risk our public and private property, the lives of our citizenry, and the safety of all firefighters in this state. The purpose of the compact being an agreement for out-of-state resources to help fight wildfires when we otherwise could not appropriately address such large threats with existing resources. As such, we are assured of help if we needed it at no recurring cost to Tennessee, unless we used out-of-state resources to combat forest or other wildfires.

18. Please list all compact programs or activities that receive federal financial assistance and, therefore are required to comply with Title VI of the Civil Rights Act of 1964. Include the amount of federal funding received by program/activity.

If the compact does receive federal assistance, please answer questions 19 through 26. If the compact does not receive federal assistance, proceed directly to question 25.

Not applicable.

19. Does the compact, the state administrator, or the advisory committee prepare a Title VI plan? If yes, please provide a copy of the most recent plan.
20. Does the compact, the state administrator, or the advisory committee have a Title VI coordinator? If yes, please provide the Title VI coordinator's name and phone number and a brief description of his/her duties. If not, provide the name and phone number of the person responsible for dealing with Title VI issues.
21. To which state or federal agency (if any) does the compact report concerning Title VI? Please describe the information the compact, the state administrator, or the advisory committee submits to the state or federal government and/or provide a copy of the most recent report submitted.
22. Describe the compact's, the state administrator's, or the advisory committee's actions to ensure that compact staff and/or clients/program participants understand the requirements of Title VI.
23. Describe the compact's, the state administrator's, or the advisory committee's actions to ensure it is meeting Title VI requirements. Specifically, describe any compact monitoring or tracking activities related to Title VI, and how frequently these activities occur.
24. Please describe the compact's procedures for handling Title VI complaints. Has the compact, the state administrator, or the advisory committee received any Title VI-related complaints during the past two years? If yes, please describe each complaint, how each complaint was investigated, and how each complaint was resolved (or, if not yet resolved, the complaint's current status).
25. Please provide a breakdown of current compact staff by title, ethnicity, and gender.
26. Please list all compact contracts, detailing each contractor, the services provided, the amount of the contract, and the ethnicity of the contractor/business owner.